

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

455J0382

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

**HB 1055** - 01/21/2004

Introduced by: The Committee on Judiciary at the request of the Office of the Attorney General

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the offense of witness  
2 tampering.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 22-11-19 be amended to read as follows:

5 22-11-19. A person who injures or threatens to injure any person or property, or with intent  
6 to influence a witness, offers, confers, or agrees to confer any benefit on a witness or  
7 prospective witness in an official proceeding to induce the witness to:

8 (1) Testify falsely;

9 (2) Withhold any testimony, information, document, or thing;

10 (3) Elude legal process summoning ~~him~~ the witness to testify or supply evidence; or

11 (4) Absent himself or herself from an official proceeding to which ~~he~~ the witness has  
12 been legally summoned;

13 is guilty of tampering with a witness. Tampering with a witness is a Class 4 felony.

14 Section 2. That chapter 22-11 be amended by adding thereto a NEW SECTION to read as  
15 follows:



1       A person who injures or threatens to injure any person or property in retaliation for that  
2       person testifying in an official proceeding, or for cooperating with law enforcement, government  
3       officials, investigators or prosecutors, is guilty of tampering with a witness. Tampering with a  
4       witness is a Class 4 felony.